

VILLAGE OF BARRINGTON

ORDINANCE NO. 04-3205

TENTH AMENDMENT TO THE TEXT OF THE ZONING ORDINANCE
OF THE VILLAGE OF BARRINGTON ADOPTED ON MARCH 19, 2001
(Ordinance No. 01-2919)
(RELATING TO PLANNED DEVELOPMENTS)

ADOPTED BY THE CORPORATE AUTHORITIES OF THE
VILLAGE OF BARRINGTON THIS 6th DAY OF December, 2004

Published in pamphlet form by authority of the Corporate Authorities of the Village of
Barrington, Illinois, this 7th day of December, 2004.

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11/22/04
12/02/04

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OF THE VILLAGE OF BARRINGTON ADOPTED ON MARCH 19, 2001
(Ordinance No. 01-2919)
(RELATING TO PLANNED DEVELOPMENTS)

WHEREAS, the Corporate Authorities of the Village of Barrington, Cook and Lake Counties, Illinois ("Barrington") have heretofore exercised the power conferred on them pursuant to Chapter 65 ILCS.5/11-13 et seq. by adopting a new Zoning Ordinance on or about March 19, 2001 (Ordinance No. 01-2919) (hereinafter, the "Zoning Ordinance"); and

WHEREAS, the question of further amending the text of the Zoning Ordinance, as amended, was referred by the Corporate Authorities to the Plan Commission of this Village; and

WHEREAS, the Plan Commission of this Village held a public hearing on the proposal to further amend the Zoning Ordinance, after due publication of notice thereof, as required by law; and

WHEREAS, the Plan Commission made recommendations to the President and Board of Trustees; and

WHEREAS, the President and Board of Trustees of the Village of Barrington wish to further amend the text of the Zoning Ordinance relative to Planned Developments in order to more effectively address the potential adverse impacts larger developments may have, including but not limited to, such impacts on traffic, stormwater detention, and established residential uses; and

WHEREAS, the President and Board of Trustees of the Village desire to amend the text of the Zoning Ordinance (Ordinance No. 01-2919) as hereinafter provided:

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, that:

SECTION 1: The President and Board of Trustees find that the facts stated in the preamble of this Ordinance are true and correct and are incorporated into the text of this Ordinance to the same extent as if each had been set forth herein in its entirety.

SECTION 2: The term "Zoning Ordinance" as used herein shall mean and refer to the new Zoning Ordinance of the Village of Barrington (Ordinance No. 01-2919 a/k/a the "Barrington Zoning Ordinance") including all amendments made thereto which such amendments were made prior to the effective date of this Ordinance.

SECTION 3: Section 11.4 of Chapter 11, "Planned Development", of the Zoning Ordinance shall be amended as hereinafter set forth:

"11.4 PLANNED DEVELOPMENT REQUIRED

Any development or redevelopment of property requiring a building permit or site development permit shall require planned development approval, if such development or redevelopment: property is within the Planned Development Overlay District, as identified on the Official Zoning Map of the Village of Barrington.

- (1) Is located on property within the Special Planning Area Overlay District, as identified on the Official Zoning Map of the Village of Barrington and is subject to the regulations of such District; or
- (2) Is within the B-4 Village Center District and encompasses a new building or substantial change of use or occupancy of an existing building which would otherwise be permitted if:
 - (A) the subject building contains in excess of twenty-five thousand (25,000) square feet of floor area as defined in Chapter 2 of the Barrington Zoning Ordinance); or
 - (B) the site exceeds twelve thousand (12,000) square feet in area and has frontage on three (3) or more streets; or
 - (C) the site exceeds forty-three thousand five hundred and sixty (43,560) square feet or one (1) acre in area; or
 - (D) the subject building includes any drive-up, drive-through, or drive-in restaurants or drive-up, drive-through, or drive-in facilities; or
- (3) Is located on a site of three (3) acres or more in area under unified control in any zoning district.

The provisions of Paragraphs (1), (2) and (3) of this Section 11.4 notwithstanding, neither a special use for a planned development, nor planned development approval shall be required for the development or redevelopment of property which meets the above criteria but encompasses only repairs or reconstruction of existing site improvements and/or the construction, reconstruction, or repair of one or more accessory structure(s)."

SECTION 4: If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof. The Board of Trustees hereby declare that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more

sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

SECTION 5: This Ordinance shall not affect any prosecution pending or any penalty, punishment, forfeiture incurred, cause of action, or rights, powers, or remedies accrued under any ordinance in effect immediately prior to the effective date hereof.

SECTION 6: This Ordinance shall be published in pamphlet form and shall be in full force and effect 10 days after its passage, approval, and publication as provided by law.

SECTION 7: The Village Clerk is directed to publish this Ordinance in pamphlet form.

PASSED THIS 6th DAY OF December, 2004, BY ROLL CALL VOTE AS FOLLOWS:
AYES: Trustee Birch, Schryer, Freeman, Grogley and Salaya
NAYS: None
ABSENT: Trustee Hunt
ABSTAIN: None
RECUSE: None

APPROVED THIS 6th OF December, 2004

Marshall S. Reagle
Marshall S. Reagle, Village President

ATTESTED AND FILED THIS
6th DAY OF December, 2004

D-Will
Village Clerk

PUBLISHED IN PAMPHLET FORM THIS 7th DAY OF December, 2004. (SEAL)